

AMENDED IN SENATE JULY 17, 2003

AMENDED IN SENATE JUNE 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 61

Introduced by Assembly Member Dymally

December 5, 2002

An act relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 61, as amended, Dymally. Compton Community College District: bonds.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the board of governors to appoint a chief executive officer, known as the Chancellor of the California Community Colleges.

Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. At the November 5, 2002, ~~general~~ statewide *general* election, the voters of the Compton Community College District approved a measure authorizing the issuance of \$100,000,000 of general obligation bonds.

This bill would prohibit the Compton Community College District from encumbering, or from entering into any contract that encumbers or contemplates the encumbrance of, any funds received from the sale

of those bonds *unless and until the Chancellor of the California Community Colleges completes an investigation in connection with those funds. The bill would authorize the chancellor to conduct this investigation. The bill would require that, if the chancellor determines that wrongdoing has occurred in connection with the issuance or sale of these general obligation bonds, or in connection with the disposition of any proceeds of the sale of these bonds, then, from the date of the chancellor's determination, none of these funds may be encumbered without the prior written approval of the chancellor.* The bill ~~authorizes~~ would authorize the chancellor to adopt rules and procedures to govern this investigation and the submission, evaluation, and approval of proposed expenditures of these funds.

The bill would make a finding and declaration of the Legislature regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Notwithstanding any other provision of law:
- 2 (a) No funds received from the sale of general obligation bonds
- 3 issued pursuant to Measure CC, approved by the voters of the
- 4 Compton Community College District at the November 5, 2002,
- 5 ~~general statewide election~~ *statewide general election*, may be
- 6 encumbered by that district, or by any of its officers, employees,
- 7 agents, or representatives, ~~without the prior written approval of the~~
- 8 ~~Chancellor of the California Community Colleges.~~
- 9 ~~(b) No contract may be entered into, renewed, or extended by~~
- 10 ~~the Compton Community College District, or by its governing~~
- 11 ~~board or any of its officers, employees, agents, or representatives,~~
- 12 ~~that encumbers, or contemplates the future encumbrance of, any~~
- 13 ~~funds received from the sale of general obligation bonds issued~~
- 14 ~~pursuant to Measure CC, approved by the voters of the Compton~~
- 15 ~~Community College District at the November 5, 2002, general~~
- 16 ~~statewide election, without the prior written approval of the~~
- 17 ~~Chancellor of the California Community Colleges. unless and~~
- 18 ~~until the Chancellor of the California Community Colleges~~

1 *completes an investigation in connection with those funds. The*
2 *chancellor is authorized to conduct this investigation.*

3 *(b) If the Chancellor of the California Community Colleges*
4 *determines that wrongdoing has occurred in connection with the*
5 *issuance or sale of the general obligation bonds issued pursuant*
6 *to Measure CC, approved by the voters of the Compton Community*
7 *College District at the November 5, 2002, statewide general*
8 *election, or in connection with the disposition of any proceeds of*
9 *the sale of these bonds, then, from the date of the chancellor's*
10 *determination, none of these funds may be encumbered without the*
11 *prior written approval of the chancellor.*

12 *(c) The Chancellor of the California Community Colleges is*
13 *authorized to adopt rules and procedures to govern the*
14 *investigation referenced in subdivision (a) and the submission,*
15 *evaluation, and approval of proposed expenditures of funds*
16 *received from the sale of the general obligation bonds issued*
17 *pursuant to Measure CC.*

18 *(d) It is the intent of the Legislature that the Chancellor of the*
19 *California Community Colleges be encouraged to commence the*
20 *investigation referenced in subdivision (a) immediately after the*
21 *act that adds this section becomes effective.*

22 SEC. 2. The Legislature finds and declares that, because of
23 unique circumstances applicable only to the Compton Community
24 College District, a statute of general applicability cannot be
25 enacted within the meaning of subdivision (b) of Section 16 of
26 Article IV of the California Constitution. Therefore, the enactment
27 of this special statute is necessary.

28 SEC. 3. This act is an urgency statute necessary for the
29 immediate preservation of the public peace, health, or safety
30 within the meaning of Article IV of the Constitution and shall go
31 into immediate effect. The facts constituting the necessity are:

32 In order to deal with urgent circumstances related to the security
33 of the funds raised through the sale of general obligation bonds
34 issued by the Compton Community College District, it is
35 necessary that this act take effect immediately.

